

**REMARKS**

Claims 1-36 were presented for examination and all claims were rejected. Claims 1, 4-8, 11-13, 16, 20, 22-33, 35 and 36 are hereby amended, claims 2, 3, 14, 16, 19, 21 and 34 are hereby canceled, and claims 37-96 have been added to more fully appreciate Applicants' claimed invention. Support for the amended claims can be found at page 7, lines 6-23, and throughout the remainder of the specification. Support for the added claims can be found at page 7, lines 6-23; Figs. 1 and 2; and throughout the remainder of the specification. No new matter has been introduced. Upon entry of the present amendment, claims 1, 4-13, 15-18, 20, 22-33 and 35-96 will be presently pending in this application, of which claims 1, 12, 13, 22, 37 and 46 are independent. Applicants submit that claims 1, 4-8, 11-13, 16, 20, 22-33, 35 and 36, as amended, and new claims 37-96 are in condition for allowance.

Applicants note with appreciation the Examiner's acceptance of the previously submitted drawings.

Applicants are separately submitting a First Supplemental Information Disclosure Statement today via first class mail and enclose a courtesy copy of the Information Disclosure Statement for the Examiner.

The following comments address all stated grounds of rejection. The Applicants respectfully traverse all rejections and urge the Examiner to pass the claims to allowance in view of the remarks set forth below.

**CLAIM REJECTIONS UNDER 35 USC §102****A. Claims 1-7, 13, 14, 16-27, 29-32 and 34-36 Rejected Under 35 U.S.C. §102(b)**

Claims 1-7, 13, 14, 16-20, 22-27, 29-32 and 34-36 are rejected under 35 U.S.C. §102(b) as being anticipated by Shambroom (US 5,923,756) ("Shambroom"). Claims 2, 3, 14, 16, 19, 21 and 34 are hereby canceled, mooted this rejection with respect to these claims. Claims 1, 12, 13 and 22 are independent claims. Claims 4-7 are dependent on amended independent claim 1, and, thus, incorporate the patentable subject matter of amended claim 1. Claims 17-18 and 20 are dependent on amended independent claim 13, and, thus, incorporate the patentable subject matter of amended claim 13. Claims 23-27, 29-32 and 35-36 are dependent on amended independent claim 22, and, thus, incorporate the patentable subject matter of amended claim 22. Applicants respectfully traverse this rejection and submit that Shambroom fails to disclose each and every limitation recited in claims 1, 4-7, 13, 17-18, 20, 22-27, 29-32 and 35-36, as amended.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Each of the independent claims 1, 12, 13 and 22 are hereby amended and explicitly recite system and methods for executing at an application server an application program on a client's behalf and securing the *transmission of output* of the *application program executing on the application server* to the client. Shambroom does not disclose executing at an application server an application program on a client's behalf and securing the *transmission of output* generated by the *application program executing on the application server* to the client.

Instead, Shambroom discloses apparatus and methods for executing a command on a managed host and displaying in a web browser data returned from the completed command.

Command execution is transacted on behalf of a client by proxy services in an intermediary network server (see Fig. 3). As disclosed in Fig. 3 of Shambroom, the client (200, Fig. 3) issues a command for execution by a managed host (1040, Fig. 6a) through the intermediary network server (300, Fig. 3). The web browser (620, Fig. 6A) on the client first communicates with a web server (305, Fig. 3), the web server then communicates with a CGI Service Interface (1000, Fig. 6a), which in turn communicates with a Secure Remote Execution Client (1040, Fig. 6a). The Secure Remote Execution Client communicates with an Internet Super Daemon Service (1280, Fig. 6b) to issue a command to the managed host. After the completion of the execution of the command, data resulting from the command is returned through the various services to the web server for display on the web browser. The managed host does not execute an application program at the managed host server on the client's behalf and *transmit output of the application program as it is executing* to the client.

Because Shambroom fails to disclose executing at an application server an application program on a client's behalf and securing the transmission of output of the application program executing on the application server to the client, Applicants respectfully request the reconsideration and withdrawal of the rejection of claims 1, 4-7, 13, 14, 16-18, 20, 22-27, 29-32 and 35-36 under 35 U.S.C. §102(b).

B. Claim 12 Rejected Under 35 U.S.C. §102(b)

Claim 12 is rejected under 35 U.S.C. §102(b) as being anticipated by Sirbu et al. (US 5,809,144) ("Sirbu"). Applicants respectfully traverse this rejection and submit that Sirbu fails to disclose each and every limitation recited in claim 12, as amended.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Claim 12, as amended, recites a method for executing at an application server an application program on a client's behalf and securing the *transmission of output of the application program executing on the application server* to the client. Sirbu discloses an apparatus and method for securely purchasing and delivering digital goods over a network. As depicted in Fig. 2 of Sirbu, a web browser (10, Fig. 2) and a merchant application software (22, Fig. 2) execute several transactions (1, 2, 1', 2', 3, 4, 5 and 8, Fig. 2) to carry out a commercial transaction of purchasing and delivering digital goods. Neither the merchant computer (12, Fig.1) nor the account servers (14, Fig. 1) *transmit output of the execution of an application program* to a customer's computer (10, Fig.1). As such, Sirbu does not disclose executing at an application server an application program on a client's behalf and securing the *transmission of output of the application program executing on the application server* to the client.

Because Sirbu fails to disclose executing at an application server an application program on a client's behalf and securing the transmission of output of the application program executing on the application server to the client, Applicants respectfully request the reconsideration and withdrawal of the rejection of claim 12 under 35 U.S.C. §102(b).

### **CLAIM REJECTIONS UNDER 35 USC §103**

Claims 5, 8 and 28, 9-11 and 33 are rejected under 35 U.S.C. §103 as being unpatentable over Shambroom in further view of respective references cited by the Examiner. Applicants respectfully traverse these rejections and submit that Shambroom in further view of the cited

references fails to teach or suggest each and every limitation recited in claims 5, 8-11, 28 and 33, as amended.

Claims 8 and 28, are rejected under 35 U.S.C. §103 as being unpatentable over Shambroom in further view of Johnson et al (US 5,560,008) (“Johnson”). Claim 8 is dependent on amended independent claim 1, and, thus, incorporates the patentable subject matter of amended claim 1. Claim 28 is dependent on amended independent claim 22, and, thus, incorporates the patentable subject matter of amended claim 22. Applicants respectfully traverse this rejection and submit that Shambroom in view of Johnson fails to teach or suggest each and every limitation recited in claims 8 and 28, as amended.

Claims 9-11 are rejected under 35 U.S.C. §103(a) as being unpatentable over Shambroom in further view of Davis (US 5,818,939) (“Davis”). Claims 9-11 are dependent on amended independent claim 1, and, thus, incorporate the patentable subject matter of amended claim 1. Applicants respectfully traverse this rejection and submit that Shambroom in view of Davis fails to teach or suggest each and every limitation recited in claims 9-11, as amended.

Claim 15 is rejected under 35 U.S.C. §103 as being unpatentable over Shambroom in further view of Gifford (US 6,049,785) (“Gifford”). Claim 15 is dependent on amended independent claim 13, and, thus, incorporates the patentable subject matter of amended claim 13. Applicants respectfully traverse this rejection and submit that Shambroom in view of Gifford fails to teach or suggest each and every limitation recited in claim 15, as amended.

Claim 33 is rejected under 35 U.S.C. §103 as being allegedly unpatentable over Shambroom in further view of McDonough et al (US 5,991,878) (“McDonough”). Claim 33 is dependent on amended independent claim 22, and, thus, incorporates the patentable subject matter of amended claim 22. Applicants respectfully traverse this rejection and submit that

Shambroom in view of McDonough fails to teach or suggest each and every limitation recited in Claim 33, as amended.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. As discussed above, Shambroom does not disclose executing at an application server an application program on a client's behalf and securing the *transmission of output of the application program executing on the application server* to the client. Moreover, Shambroom does not suggest or teach executing at an application server an application program on a client's behalf and securing the *transmission of output of the application program executing on the application server* to the client. As such, it was not obvious to one ordinarily skilled in the art, at the time the claimed invention was made, to modify Shambroom to execute at an application server an application program on a client's behalf and secure *transmission of output of an application program executing on an application server* to a client.

Furthermore, none of the cited references disclose, teach or suggest executing at an application server an application program on a client's behalf and securing the *transmission of output of the application program executing on the application server* to the client. Johnson is used only to suggest one of ordinary skill in the art might modify Shambroom to confirm an identifier is received by a web server within a certain time frame relative to the time it was transmitted by the web server. Davis is used merely to suggest one of ordinary skill in the art might modify Shambroom so that the session key is a null value and the null value is constant. Gifford is used only to suggest that it would be obvious to one ordinarily skilled in the art to modify Shambroom so that the identifier is a nonce. McDonough is used to suggest one of ordinary skill in the art might modify Shambroom so that the ticket contains a name of a

software application executing on an application server. As such, none of the cited references, singularly or in combination with Shambroom disclose, teach or suggest executing at an application server an application program on a client's behalf and securing the *transmission of output of the application program executing on the application server* to the client.

Because Shambroom in further view of Johnson, Davis, Gifford or McDonough fails to disclose, teach, or suggest executing at an application server an application program on a client's behalf and securing the *transmission of output of the application program executing on an application server* to the client, Applicants submit that amended claims 5, 8-11, 28 and 33 are patentable and in condition for allowance. Applicants therefore request the withdrawal of the Examiner's rejection of claims 5, 8-11, 28 and 33 under 35 U.S.C. §103.

#### **NEW CLAIMS 37-96**

New claims 37-96, of which claims 37 and 46 are independent, are hereby added. Support for the added claims can be found at page 7, lines 6-23; Figs. 1 and 2; and throughout the remainder of the specification. No new matter has been introduced. Claims 38-45 and 91-93 are dependent on claim 37, and, thus, incorporate the patentable subject matter of claim 37. Claims 47-62 and 94-96 are dependent on claim 46 and, thus, incorporate the patentable subject matter of claim 46. Claims 63-70 and 85-87 are dependent on claim 12, as amended, and thus, incorporate the patentable subject matter of amended claim 12. Claims 71-79 and 88-90 are dependent on claim 13, as amended, and thus, incorporate the patentable subject matter of amended claim 13. Claims 80-84 are dependent on claim 1, as amended, and thus, incorporate the patentable subject matter of amended claim 1.

As discussed above with regards to amended independent claims 1, 12 and 13, neither Shambroom nor Sirbu disclose, teach or suggest executing at an application server an application program on a client's behalf and securing the *transmission of output of the application program executing on the application server* to the client. As such, claims 80-84 dependent from independent claim 1, claims 63-70 and 85- 87 dependent from independent claim 12, and claims 71-79 and 88-90 dependent from independent claim 13 are patentable and in condition for allowance.

Independent claims 37 and 46 are directed to a system for securing an application communication channel between a client and an application server to execute at an application server an application program on a client's behalf and securing the *transmission of output of the application program executing on the application server* to the client. None of the cited references, including Shambroom and Sirbu, disclose, teach or suggest a system or method for executing at an application server an application program on a client's behalf and securing the *transmission of output of the application program executing on the application server* to the client. As such, claims 38-45 and 91-93 dependent from independent claim 37 and claims 47-62 and 94-96 dependent from independent claim 46 are patentable and in condition for allowance.

Because none of the cited references, including Shambroom and Sirbu, disclose, teach or suggest each and every element of claims 37-96, Applicants submit that claims 37-96 are patentable and in condition for allowance.



**CONCLUSION**

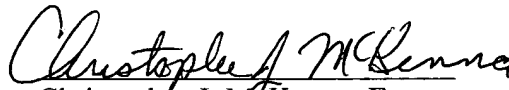
In light of the aforementioned arguments, Applicants contend that each of the Examiners' rejections has been adequately addressed and all of the pending claims are in condition for allowance. Accordingly, the Applicants respectfully request reconsideration, withdrawal of all grounds of rejection, and allowance of all of the pending claims.

Should the Examiner feel that a telephone conference with Applicants' attorney would expedite prosecution of this application, the Examiner is urged to contact the Applicants' attorney at the telephone number identified below.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Dated: May 3, 2004



Christopher J. McKenna, Esq.  
Registration No. 53,302  
Attorney/Agent for Applicants

Lahive & Cockfield, LLP  
28 State Street  
Boston, MA 02109  
(617) 227-7400